

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE  
WINCHESTER DIVISION

IN RE: )  
)  
ROBERT R. HATTAWAY, ) Case No. 4:06-BK-11251  
) Chapter 12  
)  
Debtors. )  
)

**OBJECTION TO DEBTOR'S MOTION TO REINSTATE**

The United States of America, on behalf of its agency, the United States Department of Agriculture, by and through James R. Dedrick, the United States Attorney for the Eastern District of Tennessee, objects to the Debtor's Motion to Reinstate the case under Chapter 12 of the United States Bankruptcy Code.

IN SUPPORT HEREOF, the Court is advised:

1. The debtor in this case filed a motion to reinstate the confirmed plan under Chapter 12 of the Bankruptcy Code on August 13, 2009.
2. At the time the debtor filed the motion the case was over \$57,000.00 in arrears, and had been in arrears for some time. Debtor now claims to have the funds to bring the case current.
3. There is nothing in the pleadings that would indicate the source of the sizable payments, and if they are from additional borrowings, the case would not be feasible and the reinstatement would not be appropriate.
4. There were numerous motions pending at the dismissal which will not be cured by the reinstatement and if this court reinstates the case, they should be placed back on the active docket in the same position they occupied at dismissal.

WHEREFORE, it is prayed that the debtor's motion be denied or in the alternative all matters be reset on the docket.

Respectfully Submitted,

JAMES R. DEDRICK  
United States Attorney

/s/M. Kent Anderson  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **Objection** has been served via the court's electronic noticing system and/or postage paid by the United States Postal Service to the parties listed on the attached mailing matrix.

This 24<sup>th</sup> day of August, 2009.

/s/M. Kent Anderson  
M. KENT ANDERSON  
Assistant United States Attorney